



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बोरवार, ३० मार्च, १९६७/६ चत्र, १८८६

GOVERNMENT OF HIMACHAL PRADESH

INDUSTRIES DEPARTMENT NOTIFICATION

Simla-4, the 23rd September, 1965

No. I&S. 15(Lab.)654/57.—In exercise of the powers vested in him vide section 112 of the Factories Act, 1948 (No. LXIII of 1948), the Lieutenant Governor (Administrator), Himachal Pradesh, is pleased to make the following amendments in Himachal Pradesh Factories Rules, 1950, the same having been previously published vide notification of even number dated the 23rd April, 1964.

AMENDMENT

I. After rule 3 (1) (c) add:

(d) Replies to the questionnaire annexed to Form No. I-A:

Provided that the occupier of the premises in use as a factory on the date of commencement of these Rules shall submit such application within thirty days of such commencement.

II. After rule 3 (2) add:

(3) The plans and specifications herein required shall be certified by a person possessing the qualifications prescribed for a Certificate of Stability i.e., at (a) (ii) below:

(a) *Certificate of Stability.*—(i) No manufacturing process to be carried on with the aid of power shall be begun, or carried on in any building or part of a building until a certificate of stability

of the building or part of the building in Form No. 2 signed by a person possessing the qualifications prescribed in sub-rule 3 (3) (a) (ii) has been delivered to and accepted by the Chief Inspector. No. extended portion of any factory wherein manufacturing process is being carried on with the aid of power shall be used as a part of the factory any time after the extension, nor plant or machinery shall be added in any factory nor brought into use any time after such addition until such a certificate in respect of such extension or plant has been delivered to and accepted by the Chief Inspector of Factories.

- (ii) The person competent to certify the plans and specifications of to sign Form No. 2 shall possess one or other of the following qualifications:—

The corporate membership of any of the following institutions:—

- (a) The Institute of Civil Engineers.
 - (b) The Institute of Structural Engineers.
 - (c) The Royal Institute of British Architects.
 - (d) The Institute of Engineers (India) together with the Degree of a recognised Civil Engineering College in India, provided that he has also been for three years in *bonafide* practice of his own account as Chief Assistant of a recognised firm of Civil Engineers.
- (h) No person except in case of building owned by any Government shall be authorised to sign a Certificate of Stability or to certify plans and specifications who is in the employment of the owner or builder of the building in respect of which the certificate is given.

(4) (i) The internal height of a workroom shall be not less than 14 feet measured from the floor level to the lowest part of the roof, provided that in the case of buildings having a brick or concrete roof, or a combination of the two, the minimum height may be 12 feet:

Provided further that in case of factories employing less than 50 persons, the Chief Inspector may, where he is satisfied that the conditions of work are reasonably good, exempt such factories from the provisions of this sub-rule.

(ii) There shall be provided at all time for each person employed in any workroom of a factory where mechanical or electrical power is used, at least 36 square feet of floor space exclusive of that occupied by machinery and a breathing space of at least 500 cubic feet.

(iii) Particulars of each workroom of the factory in which persons are regularly employed shall be entered in Form 1-A which shall be shown to the Inspector, when required.

The provisions of clause (i) of sub-rule 4 shall not apply to rooms intended for storage, godowns and like purposes and also rooms meant for office purposes.

III. Substitute rule 4, by:

4. *Application for registration and grant of licence.*—All occupiers of existing factories as well as those coming for the first time under the scope of the Factories Act, shall get the factory duly registered and licenced. An application for registration of the factory and grant of licence shall be submitted in the prescribed Form No. 3 in triplicate, provided that the occupier of the premises in use as a factory, on the date of the commencement of the Rules, shall submit such application within thirty days from the commencement of the rules.

IV. Substitute sub-rule (2) of rule 7, by:

(2) Every application for the renewal of a licence shall be in Form No. 3 in triplicate prescribed under rule 4 and shall be made not less than two months before the date on which the licence expires, and if the application is so made, the premises shall be held to be duly licenced until such date as the Chief Inspector renews the licence.

V. Substitute rule 12, by:

12. *Notice of occupation.*—The notice of occupation shall be included in Form No. 3, as prescribed under rule 4.

VI. After rule 13, add:

13 (A). *Qualifications of an Inspector.*—No person shall be appointed as an Inspector for the purposes of the Act unless he possesses the qualifications hereunder:

- (a) he must not be less than 23 years or more than 35 years of age;
- (b) he must have—

- (i) had a good general education upto the Intermediate standard of a recognised University;
 - (ii) secured a Degree or Diploma equivalent to a Degree of a recognised University, in any of Engineering, Technology or Medicine and preferably with practical experience of at least two years in a workshop or a manufacturing concern of good standing and in the case of Medical Inspector an experience of at least two years in a public hospital or factory medical department or alternatively a diploma in industrial medicine;
 - (c) where for a particular post special knowledge to deal with special problems is required, the Government may, in addition to the basic qualifications, prescribe appropriate qualifications for such a post:
- Provided that in the case of the persons who have been working as Inspectors under the Act at the time of the commencement of these Rules, the Government may, subject to such conditions as it may specify, exempt such persons from the provisions of this rule.

VII. The word artificial appearing in the heading of rule 29.

VIII. After rule 55, add:

Rules prescribed under sub-section (2) of section 29

55(A). No lifting machine and no chain, rope, lifting tackle except a fibre rope or a fibre rope sling, shall be taken into use in any factory for the first time in that factory unless it has been tested and all parts have been thoroughly examined by a competent person and a certificate of such a test and examination specifying the safe working load or loads and signed by the persons making the test and the examination, has been obtained and is kept available for inspection.

55(B). (a) Every jib-crane is so constructed that the safe working load may be varied by the raising or lowering of the jib, omission shall have attached thereto either an automatic indicator of safe working loads or an automatic jib angle indicator and a table indicating the safe working loads at corresponding inclinations of the jib or corresponding radii of load.

(b) A table showing the safe working loads of every kind and size of chain, rope or lifting tackle in use, and, in the case of a multiple sling, the safe working load at different angles of the legs, shall be posted in the stores in which the chains, ropes of lifting tackles are kept, and in prominent positions on the premises, and no chain, rope or lifting tackle not shown in the table shall be used. The foregoing provisions of this paragraph shall not apply

in respect of any lifting tackle if the safe working load thereof, or in the case of a multiple sling, the safe working load at different angles of the legs is plainly marked upon it.

55(C). Particulars of register to be maintained under clause (a) (ii) of sub-section (1) of section 29 of the Act shall be:—

- (i) Name of occupier of factory.
- (ii) Address of the factory.
- (iii) Distinguishing number of mark, if any, and description sufficient to identify the lifting machine, chain, rope or lifting tackle.
- (iv) Date when the lifting machine, chain, rope or lifting tackle was first taken into use in the factory.
- (v) Date and number of the certificate relating to any test and examination made under rules 55 (A) and 55 (G) together with the name and address of the person who issued the certificate.
- (vi) Date of each periodical thorough examination made under clause (a) (iii) of sub-section (1) of section 29 of the Act and rule 55 (F) and by whom it was carried out.
- (vii) Dates of annealing or other heat treatment of the chain and other lifting tackle made under rule 55 (E), and by whom it was carried out.
- (viii) Particulars of any defects affecting the safe working load found at any such thorough examination or after annealing and of the steps taken to remedy such defects.

The register shall be kept readily available for inspection.

55(D). All rails on which a travelling crane moves and every track on which the carriage of a transporter or runway moves, shall be of proper size and adequate strength and have an even running surface and every rail or track shall be properly laid, adequately supported and properly maintained.

55(E). All chains and lifting tackle except a rope sling shall unless they have been subjected to such other heat treatment as may be approved by the Chief Inspector of Factories, ineffectively annealed under the supervision of a competent person at the following intervals—

- (i) All chains, slings, rings, hooks, shackles and swivels used in connection with molten metal or molten slag or when they are made of half inch bar or smaller, once at least in every six months.
- (ii) All other chains, rings, hooks, shackles and swivels in general use, once at least in every twelve months:

Provided that chains and lifting tackle not in frequent use shall, subject to the Chief Inspector's approval be annealed only when necessary. Particulars of such annealing shall be entered in a register prescribed under rule 55(C).

55(F). Nothing in the foregoing rule 55(E) shall apply to the following classes of chains and lifting tackles:—

- (i) Chains made of malleable cast iron.
- (ii) Plate link chains.
- (iii) Chains, rings, hooks, shackles and swivels made of steel or any non-ferrous metal.
- (iv) Pitched chains working on sprocket or pocketed wheels.
- (v) Rings, hooks, shackles and swivels permanently attached to pitched chains, pulley blocks or weighing machines.
- (vi) Hooks and swivels having screw threader parts of ball bearing or other case hardened parts.
- (vii) Socket shackles secured to wire ropes by white metal capping.
- (viii) Bordeaux connections,

Such chains and lifting tackle shall be thoroughly examined by a competent person, once at least in every twelve months and particulars entered in the register kept in accordance with rule 55(C).

55(G). All lifting machines, chains, ropes and lifting tackle, except a fibre rope or fibre rope sling, which have been lengthened, altered or repaired by welding or otherwise, shall, before being again taken into use be adequately re-tested and re-examined by a competent person and a certificate of such test and examination be obtained and particulars entered in the register kept in accordance with rule 55(C).

55(H). No person under 18 years of age and no person who is not sufficiently competent and reliable shall be employed as driver of a lifting machine whether driven by mechanical power or otherwise, or to give signals to a driver.

IX. Substitute rule 56 by:

56. *Pressure Plant*.—(1) Every plant or machinery other than the working cylinders of prime movers used in a factory, and operated at a pressure greater than atmospheric pressure, shall be:—

- (a) of good construction, sound material, adequate strength, and free from any patent defect;
- (b) properly maintained in a safe condition;
- (c) fitted with:—

- (i) a suitable safety valve or other effective device to ensure that the maximum permissible working pressure of the vessel shall not be exceeded;
- (ii) a suitable pressure gauge easily visible and designed to show, at all times, the correct internal pressure in lbs., per square inch, and marked with a prominent red mark at the safe working pressure of the vessel;
- (iii) a suitable stop valve or valves by which the vessel may be isolated from other vessels or source of supply of pressure;
- (iv) a suitable drain cock or valve at the lowest part of the vessel for the discharge of connected liquid.

- (d) thoroughly examined by a competent person;

- (i) externally, once in every period of six months to ensure general condition of the vessel and the working of its fittings, and
- (ii) internally, once in every period of twelve months to ensure condition of the walls, seams and ties, both inside and outside the vessel, soundness of the parts of the vessel, and the effects of corrosion. If by reason of construction of the vessel, a thorough internal examination is not possible, this examination may be replaced by a hydraulic test which shall be carried out once in every two years. Provided that the vessels in continuous processes which cannot be frequently opened, the period of internal examination may be extended to four years;
- (iii) hydraulically tested at intervals of not more than four years provided that in respect of pressure vessels with thin walls such as sizing cylinders made of copper or any other non-ferrous metal, periodic hydraulic test may be dispensed with on the condition that the requirements laid down in sub-rule (2) are fulfilled;

Provided that it shall be sufficient for the purposes of sub-rule (1) (c) if the safety valve, pressure gauge and stop valve are mounted on a pipe line immediately adjacent to the vessel and where there is a range of two or more similar vessels in a plant served by the same pressure lead, only one set of such mountings need be fitted provided they cannot be isolated.

(2) (a) In respect of pressure vessels of thin walls such as sizing cylinders made of copper or any other non-ferrous metal the safe working pressure shall be reduced at the rate of 5 per cent of the original working pressure of every year of its use after the first five years and no such cylinder shall be continued to be used for more than twenty years after it was first taken into use.

(b) If no information as to the date of construction, thickness of walls and safe working pressure is available, the age of the sizing cylinder shall be determined by the competent person in consultation with the Chief Inspector from any other particulars available with the manager.

(c) Every new and second hand cylinder of thin walls to which repairs, which may affect its safety, have been carried out, shall be tested before use to at least one and a half times its working pressure.

(3) Every vessel other than part of a prime mover operated at a pressure greater than atmospheric pressure, and not so constructed as to withstand with safety the maximum possible working pressure at the source of supply, or the maximum pressure which can be obtained in the pipe connecting the vessel with any other source of supply, shall be fitted with a suitable reducing valve or other suitable automatic device to prevent the safe working pressure of the vessel being exceeded.

(4) In cases owing to the nature of the process or the action of the contents of the vessel, a pressure gauge or safety valve or bots cannot work reliably, a tested and reliable working thermometer with a sufficient large scale, on which shall be clearly marked the maximum permissible temperature in the vessel or pyrometers or rupture discs in addition to the pressure gauge and safety valve may be fitted as may be directed by the Chief Inspector.

(5) If during thorough examination, doubt arises as to the ability of vessel to work safely until the next examination provided for in these rules, then the competent person shall enter in the register prescribed a reasoned statement, to authorise the vessel for further work subject to a lowering of pressure or to more frequent inspection or subject to both of these requirements.

(6) No vessel which has undergone alterations or repairs shall be taken into use unless it is thoroughly examined by a competent person.

(7) A report of the result of every examination made shall be completed in the prescribed Form No. 8 and signed by the person making the examination, and shall be kept available for perusal by an Inspector at any time while the vessel is in service.

(8) No vessel which has previously been used shall be taken into use in any factory for the first time in the factory until it has been examined and reported in accordance with these Rules and no new vessel shall be taken into use unless there has been obtained from the maker of the vessel, or from a competent person, a certificate specifying the maximum permissible working pressure thereof, and stating the nature of the tests to which the vessel and its fittings (if any) have been subjected, and the certificate is so marked as to enable it to be identified, to which the certificate relates.

(9) Where the report of any examination vunder this rule specifies conditions for securing the safe working of a vessel, the vessel shall not be used except in accordance with these conditions.

(10) The competent person making the reports of any examination under this rule, shall within seven days of the completion of the examination, send to the Inspector a copy of the report in every case where the maximum permissible working pressure is reduced, or the examination shows that the part cannot be continued to be used with safety unless certain repairs are carried out immediately or within a specified time.

(11) The requirements of this rule shall be in addition to and not in derogation of the requirements of any other Act, rules or regulations.

(12) Nothing in this rule shall apply to:—

(a) any vessel which comes within the scope of the Indian Boilers Acts;

(b) metal bottles of cylinders used for the storage or transport of compressed gases or liquidified or dissolved gases under pressure.

X. After rule 61 (2) (e), add:

(3) Every factory shall be provided either with—

(a) an ample supply of water maintained at a sufficient pressure to reach all parts of the factory building together with necessary home pipes and hydrauls for making effective use of the water in case of fire in any part of the factory; or

(b) both buckets and chemical fire extinguishers in suitable number and at suitable sites according to the size and nature of the factory.

(4) All such apparatus for extinguishers in fires shall be kept in good order and shall be periodically examined.

Rule prescribed under section 41

61 (A). *Ladders*.—All ladders used in replacing belts shall be specially made and reserved for that work and provided with hooks or an effective non skid device. Ladders provided with hooks fitted in such suitable position that they rest on the shaft, when the bottom end of the ladder is resting on the floor.

XI. After rule 63 (A) (x), add:

(xi) Aspirin (5 gr. tablets).

(xii) Ointment for burns, and a suitable surgical antiseptic solution.

XII. After rule 68 (2), add:

(3) Where the canteens are managed by a co-operative society of the workers, a nominal profit not exceeding 5% may be charged by such society.

XIII. After rule 70 (4), add:

Provided that where the canteens are managed through the co-operative societies registered under the Himachal Pradesh Co-operative Societies Act, 1956, it shall not be necessary to appoint such a managing committee.

XIV. Substitute the heading of rule 78 by:

Rules prescribed under sub-section and section 112

XV. After rule 78, add:

78 (A). Period of overtime worked shall be entered in overtime slips in duplicate, a copy of which duly signed by the manager or by a person duly authorised by him shall be given to the worker immediately after completion of the overtime work.

78 (B). The cash equivalent of the advantage accruing through the concessional sale to a worker of foodgrains and other articles shall be computed at the end of every wage period fixed under the provisions of the Payment of Wages Act, 1936.

78 (C). For the purpose of computing cash equivalent of the advantage accruing through the concessional sale to a worker of foodgrains and other articles, the difference between the value of foodgrains and other articles value at the average rates in the nearest market prevailing during the wage period in which the overtime was worked and value of foodgrains and other articles supplied at concessional rates shall be calculated and allowed for the number of overtime hours worked.

This rule shall not apply to any Federal Railway Factory whose alternative method of computation has been approved by the State Government.

XVI. In the schedule annexed to rule 81, after item 6, add:

7. Departmental Heads.
8. Watch and Ward Officer.
9. Labour Welfare Officer.

XVII. In the schedule annexed to rule 84, against section 64(2) (d) and 64 (3) in column No. 1, insert the following in column No. 5:

- (i) Total daily hours of work shall not exceed 10 and the total hours of overtime work shall not exceed 50 in any quarter—the total spread-over being limited to 12 hours in any one day.
- (ii) The minimum interval of rest of half an hour shall be given at any time during the working hours.
- (iii) The weekly hours shall not exceed 56.
- (iv) All workers in excess of 9 hours a day and 48 hours per week in a factory shall be paid in respect of such additional hours at the rate of twice the ordinary rates of pay in accordance with the provisions of sub-section (1) to section 59 of the Act.

XVIII. At the end of the schedule annexed to rule 84, 3, 4 and 5 add:

1	2	3	4	5
Distilleries	Work on—			
	(a) boilers, engine, motors, switchboards and pumps;	Sections 51, 52, 54, and 55.		
	(b) working of melasses;			
	(c) fermentation of wash;			
	(d) yeast propagation;			
	(e) distillation process.			
Breweries	Work on—			
	(a) boilers, engines and pumps;	-do-		
	(b) malting coppers, hopback, coolers, refrigerators, yeast propagation and fermentation.			

1	2	3	4	5
	Rosin and Turpentine Factories.	Work on— (a) boilers, engine/pumps; dynames, motors and switch-boards; (b) distillation of rosin; (c) refining of turpentine; (d) filtration and casking of rosin.	Sections 51, 52, 54, and 55.	
	Textile Mills.	Work on—dyeing, bleaching and finishing.	Sections 52, 54 and 55.	
64(2)(f) and 64(3).	Brick-kilns	Work on—brick moulding and work of fire-men and coal-coolies.	Section 52	(i) No worker shall be employed for more than 10 hours on any one day. (ii) Interval of at least half an hour for food and rest shall be given on each working day to all workers employed on such work. (iii) No worker shall be employed for more than 14 consecutive days without a rest period of at least 24 hours; but the holidays so lost shall be compensated within a period of 3 months. (iv) The exemption shall not apply in the case of female workers.
64(2)(i) and 64(3).	All factories.	Loading and unloading of railway wagons.	Sections 51, 52, 54, 55, 56 & 61.	No worker shall be allowed to work for more than 60 hours per week.

XIX. In the beginning of Chapter VIII—Leave with Wages, add; rule 86 (A) prescribed under section 80:

86 (A). The cash equivalent of the advantage accruing through the concessional sale of foodgrains and other articles payable to workers proceeding on leave shall be the difference between the value at the average rates in the nearest market prevailing during the month immediately preceding his leave

and the value at the concessional rates allowed for foodgrains and other articles he is entitled to.

For the purpose of the cash equivalent monthly average market rate of foodgrains and other articles shall be computed at the end of every month.

XX. Substitute rule 88(1) by:

88. *Leave Book*.—(1) The manager shall provide each worker with a book in Form No. 16 (hereinafter called the leave book). The leave book shall be the property of the worker and the manager or his agent shall not demand it except to make the relevant entries therein whenever necessary and shall not keep it for more than a week at a time.

XXI. Substitute rule 89 by:

89. *Medical certificate*.—If any worker is absent from work due to his illness and he wants to avail himself of the leave with wages due to him to cover the whole or part of the period of his illness under the provisions of clause (7) of section 79 of Chapter VIII as revised by the Factories (Amendment) Act, 1954, he shall if required by the manager, produce a medical certificate signed by a registered or recognised Vaid or Hakim stating the cause of the absence and the period for which the worker, is, in the opinion of such medical practitioner, Vaid or Hakim, unable to attend to his work, or other reliable evidence to prove that he was actually sick during the period for which the leave is to be availed of.

XXII. Substitute rule 91 by:

91. *Notice by worker*.—Before or at the end of every calendar year, a worker, who may be required to avail of leave in accordance with sub-section (8) of section 79 of the Factories Act, 1948, may give notice to the manager of his intention not to avail himself of leave with wages falling due during the following calendar year. The manager shall make an entry to that effect in the leave with wages register and in the leave book of the worker concerned.

XXIII. Delete sub-rules (1) and (3) of rule 92 and renumber sub-rule (2) and (4) as (1) and (2).

Substitute rule 93 by:

93. *Payment of wages if the worker dies*.—If a worker dies before he resumes work, the balance of his pay due for the period of leave with wages not availed of shall be paid to his nominee within one week of the intimation of the death of the worker. For this purpose each worker shall submit a nomination in Form No. 28 duly signed by himself and attested by two witnesses. The nomination shall remain in force until it is cancelled or revised by another nomination.

XXIV. After item No. 9 in sub-rule (1) of rule 95, add;

10. All types of band-Saws.

11. Manufacture of pottery.

XXV. After schedule IX annexed to rule 95, add:

SCHEDULE X

ALL TYPES OF BAND-SAWS

The provisions specified in Schedule III annexed to rule 53 shall apply.

SCHEDULE XI

MANUFACTURE OF POTTERY

1. *Definitions.*—For the purposes of this Schedule—

- (a) “Pottery” includes earthenware, stoneware, porcelain, china, tile and any other articles made from clay or from a mixture containing clay and other materials such as quartz, flint, feldspar and gypsum.
- (b) “Efficient exhaust draught” means localised ventilation effected by mechanical or other means for the removal of dust or fume so as to prevent it from escaping into the air of any place in which work is carried on. No draught shall be deemed efficient which fails to remove effectively dust or fume generated at the point where dust or fume originates.
- (c) “Fettling” includes scalloping, towing, sand papering, sand sticking, brushing or any other process of cleaning of pottery-ware in which dust is given off.
- (d) “Leadless glaze” means a glaze which does not contain more than one per cent of its dry weight of a lead compound calculate as lead monoxide.
- (e) “Low solubility glaze” means a glaze which does not yield to dilute hydrochloric acid more than five per cent of its dry weight of a soluble lead compound calculated as lead monoxide when determined in the manner described below:—

A weighted quantity of the material which has been dried at 100°C and thoroughly mixed shall be continuously shaken for one hour, at the common temperature with 1,000 times its weight of an aqueous solution of hydrochloric acid containing 0.25 per cent by weight of hydrogen chloride. This solution shall thereafter be allowed to stand for one hour and then filtered. The lead salt contained in the clear filtrate shall then be precipitated as lead sulphide and weighed as lead sulphate.

- (f) “Ground or powdered flint or quartz” does not include natural sands.
- (g) “Potter’s shop” includes all places where pottery is formed by pressing or by any other process and all places where shaping, fettling, or other treatment of pottery articles prior to placing for the biscuit fire is carried on.

2. *Efficient exhaust draught.*—The following processes shall not be carried on without the use of an efficient exhaust draught:

- (i) All processes involving the manipulation or use of a dry and unfritted lead compound.
- (ii) The fettling operations of any kind, whether on green-ware or biscuit, provided that this shall not apply to the wet fettling and to the occasional finishing of pottery articles without the aid of mechanical power.
- (iii) The sifting of clay dust or any other material for making tiles or other articles by pressure, except where—
 - (a) this is done in a machine so enclosed as to effectively prevent the escape of dust; or
 - (b) the material to be sifted is so damp that no dust can be given off.
- (iv) The processing of tiles from clay dust, an exhaust opening being connected with each press; this clause shall also apply to the

pressing from clay dust of articles other than tiles, unless the material is so damp that no dust is given off.

- (v) The fettling of tiles made from clay dust by pressure, except where the fettling is done wholly on, or with, damp material: this clause shall also apply to the fettling of other articles made from clay dust, unless the material is so damp that no dust is given off.
- (vi) The process of loading and unloading of saggars where handling and manipulation of ground and powdered flint, quartz, alimina or other materials are involved.
- (vii) The brushing of earthenware biscuit, unless the process is carried on in a room provided with efficient general mechanical ventilation or other ventilation which is certified by the Inspector of Factories as adequate, having regard to all the circumstances of the case.
- (viii) Fettling of biscuit ware which has been fired in powdered flint or quartz except where this is done in machines so enclosed as to effectually prevent the escape of dust.
- (ix) Ware cleaning after the application of glaze by dipping or other process.
- (x) Crushing and dry grinding of materials for pottery bodies, and saggars, unless carried on in machines so enclosed as to effectively prevent the escape of dust or is so damp that no dust can be given off.
- (xi) Sieving or manipulation of powdered flint, quartz, clay grog or mixture of these materials unless it is so damp that no dust can be given off.
- (xii) Grinding of tiles on a power driven wheel unless an efficient water spray is used on the wheel.
- (xiii) Lifting and conveying of materials by elevators or conveyors unless they are effectively enclosed and so arranged as to prevent escape of dust into the air in or near to any place which persons are employed.
- (xiv) The preparation or weighing out of flow material, lawning of dry colours, colouring, dusting or colour blowing.
- (xv) In mould making unless the bins or similar receptacles used for holding plaster of Paris are provided with suitable covers.
- (xvi) The manipulation of calcined material unless the material has been made and remains so wet that no dust is given off.

Clause 11(1) Protective equipment.

Clause 11(4) Protective equipment.

3. Each of the following processes shall be carried on in such a manner and in such conditions so as to secure effectual separation from one another and from other wet processes:—

(a) Crushing and dry grinding or sieving of materials, fettling, pressing of tiles, drying of clay and greenware, loading and unloading of saggars.

(b) All processes involving the use of a dry lead compound.

4. No glaze which is not a leadless glaze or a low solubility glaze shall be used in a factory in which pottery is manufactured.

5. No woman or young person shall be employed or permitted to work in any of the operations specified in clause 2, or at any place where such operations are carried on.

6. The potter's wheel (Jolly and Jigger) shall be provided with screens or so constructed as to prevent clay scrappings being thrown off beyond the wheel,

7. (1) All practical measures shall be taken by damping or otherwise to dust arising during cleaning of floors.

(2) Damp saw dust or other suitable material shall be used to render the moist method effective in preventing dust rising into the air during the cleaning process which shall be carried out after work has ceased.

8. The floors of potter's shops, slip houses, dipping houses and ware cleaning rooms, shall be hard smooth and impervious sand shall be thoroughly cleaned daily by a moist method by an adult male.

9. *Medical examination.*—(1) All persons employed in any process included under clause 2 shall be examined by the Certifying Surgeon within seven days preceding or following the date of their first employment in such process, thereafter all persons employed in any process included under clause 2(1) and (xiv) shall be examined by the Certifying Surgeon once in every three calendar months, and those employed in any process included in clause 2(11) to x(xiii) and (xv) and (xvi) once in every twelve months by the Certifying Surgeon. Records of such examinations shall be entered by the Certifying Surgeon in the Health Register and Certificate of Fitness granted to him under clause 10.

(2) If at any time the Certifying Surgeon is of the opinion that any person employed in any process included in clause 2 is no longer fit for employment on the ground that continuance therein would involve damage to his health, he shall cancel the Certificate of Fitness granted to that person.

(3) No person whose Certificate of Fitness has been cancelled shall be re-employed unless the Certifying Surgeon after examination, again certifies him to be fit for employment.

10. *Certificate of Fitness.*—A person medically examined under clause 9 and found fit for employment shall be granted by the Certifying Surgeon a Certificate of Fitness in Form No. 5 and such certificate shall be in the custody of the manager of the factory. The certificate shall be kept readily available for inspection by any inspector and the person granted such a certificate shall carry with him while at work, a token giving reference to such certificate.

11. *Protective equipment.*—(1) The occupier shall provide or maintain suitable over-alls and head coverings for all persons employed in processes included in clause 2.

(2) The occupier shall provide and maintain suitable aprons of a water proof and similar material, which can be sponged daily, for the use of the dippers, dippers assistants, throwers jolly workers, casters, mould makers and filter press and pug mill workers.

(3) Aprons provided in pursuance of clause 11(2) shall be thoroughly cleaned daily by the workers by sponging or other wet process. All over-all and head coverings shall be washed, cleaned and mended at least once a week, and this washing cleaning or mending shall be provided for by the occupier.

(4) No person shall be allowed to work in emptying of dusty materials, weighing out and mixing of dusty materials and charging of ball mills or blungers without wearing a suitable and efficient dust respirator.

12. *Washing facilities.*—The occupier shall provide and maintain in a cleanly state and in good repair for the use of all persons employed in any of the processes specified in clause 2, a wash place under cover, with either—

(a) (i) a trough with smooth impervious surface fitted with a waste pipe, without plug, and of sufficient length to allow at least two feet for every five such persons employed at any one time, and having a constant supply of clean water from taps or jets above the troughs at intervals of not more than two feet; or

(ii) at least one tap or stand pipe for every five such persons employed at any one time, and having a constant supply of clean water, the tap or stand pipe being spaced not less than 4 feet apart; and

(b) A sufficient supply of clean towels made of suitable material changed daily with sufficient supply of nail brushes and soap.

13. *Time allowed for washing.*—Before each meal and before the end of the day's work at least ten minutes, in addition to the regular meal times, shall be allowed for washing to each person employed in any of the processes mentioned in clause 2.

14. *Mess-room.*—(1) There shall be provided and maintained for use of all persons remaining within the premises during the rest intervals, a suitable mess-room providing accommodation of the square feet per head and furnished with—

(i) A sufficient number of tables and chairs or benches with back rest;

(ii) arrangements for washing utensils;

(iii) adequate means for warming food;

(iv) adequate quantity of drinking water.

(2) The room shall be adequately ventilated by the circulation of fresh air and placed under the charge of a responsible person and shall be kept clean.

15. *Food, drinks, etc., prohibited in work rooms.*—No food, drink, *pan* and *supari* or tobacco shall be brought into, or consumed by any worker in, any work-room in which any of the processes mentioned in clause 2 are carried on and no such person shall remain in any such room during intervals for meals or rest.

16. *Cloak-room etc.*—There shall be provided and maintained for the use of all persons employed in any of the processes mentioned in clause 2—

(a) A cloak-room for clothing put off during working hours and such accommodation shall be separated from any mess-room;

(b) separate and suitable arrangements for storage of protective equipment provided under clause 11.

17. These regulations shall not apply to a factory in which any of the following articles, but no other pottery are made:—

(a) un-glazed or salt glazed bricks and tiles, and

(b) architectural terra-cotta made from plastic clay and either un-glazed or glazed with a leadless glaze only.

18. *Exemption.*—If in respect of any factory the Chief Inspector of Factories is satisfied that all or any of the provisions of this Schedule are not necessary for the protection of the persons employed in such factory, he may by a certificate in writing exempt such factory from all or any of such provisions, subject to such conditions as he may specify therein. Such certificate may at any time be revoked by the Chief Inspector without assigning any reasons.

AMENDMENTS IN RESPECT OF VARIOUS FORMS

(as per amended Rules)

1. After Form No. 1, add:

(i) Form No. 1-A.

(ii) Questionnaire Annexed to Form No. 1-A.

2. Replace Form No. 2, by:

Form No. 2.

3. Substitute Form No. 3, by:

Form No. 3.

Signature of the Manager.....

QUESTIONNAIRE ANNEXED TO FORM NO 1-A

[Prescribed under Rule 3(1)(d)]

Careful attention to the questionnaire will assist in drawing up the plans in accordance with the law and thus prevent delay in dealing with the Plans.

Note.—The site plan should be drawn to a minimum scale of 100' = 1" and the other plans drawn to a minimum scale of 10' = 1".

1. (a) Is the Form No. 1-A submitted
filled in for all work rooms, godowns,
etc., which are proposed to be constructed or extended?
- (b) Is the sectional elevation of each room
or shed etc., shown separately?
- (c) Is the minimum height of every room
shed etc., shown clearly in the sectional elevation?
- (d) Is the material of which the roof is
constructed indicated in the sectional elevation?
- (e) Are the positions of the various machines fitted or proposed to be fitted, shown in the drawings together with their names?
- (f) Are the maximum number of persons working or proposed to be working in different rooms, sheds, etc., mentioned in the drawing?
- (g) Are all new buildings, parts of buildings or alteration in the existing buildings shown by the boundaries duly marked by a distinctive colour?
2. *Form No. 1-A.* Is the breathing space of a work-room, sheds, etc. calculated as shown below:—
 - (a) Floor area of a room multiplied with height of the room (the maximum height for calculation should not exceed 14 feet).
 - (b) Is the maximum number of persons shown as the lower value of the two calculations shown below?
 - (i) Floor area of a room less area occupied by machinery in room divided by 36.
 - (ii) Breathing space as in (a) above divided by 500.
 - (c) Is the window and skylight area provided at the minimum rate of 1 square feet to every 15 square feet of floor area of room?
- It is recommended that window and skylight may be provided opposite to one another so as to provide best cross ventilation.

3. *Doors*—

- (a) Is every workroom provided with at least two doors?
- (b) Is the minimum size of every door 6'-6" x 3' ?
- (c) Are all the doors opening outwards?

4. *Fire-escapes*.—If any factory-building is of more than one storey—

- (a) Are two fire-escapes provided on either side of the building?
- (b) Are the fire-escapes accessible from every room in the buildings?
- (c) Is the material used in construction on the fire-escape non-combustible?
- (d) Are the windows or doors giving access to an external staircase arranged to open immediately from inside?

5. *Latrines and Urinals*—

- (a) Are the latrines and urinals provided separately?
- (b) Are these sufficient to meet the requirements of section read with Rules 18 and 19 of Factories Act, 48?
- (c) Is the minimum distance of the nearest building shown?
- (d) Is the minimum distance of the nearest source of water shown?
- (e) Is the surrounding ground upto a distance of 4 feet all round made of impermiabie materials?
- (f) Is the surrounding ground raised to at least six inches above ground level (if necessary)?
- (g) Is any latrine, ventilator or opening in the proximity of any opening of the main building?
- (h) Are these latrines flush-type?
- (i) Are all the drains, pipes and sewers for carrying sullage, sewage water, effluent and waste products running in factory premises constructed of impermiabie material?
- (j) Are the drains of flush-type latrines, connected to the drainage system of the local board?
- (k) Is an efficient system of scaptic tanks provided, if no drainage system exist?
- (l) Are the latrines provided with roofing?

6. *Drinking Water*—

- (a) Is the drinking water provided from

a source provided by the local board or otherwise from a satisfactory source?

- (b) Is any well constructed in the premises of the factory for drinking water or humidification purposes?
- (c) Is the cylinder of the well pucca and impervious to water through and upto a depth not less than the lowest level of sub-soil water?
- (d) Are the position of water centres shown in the plan?

7. After showing the above details, the plans, the site plan, this questionnaire and Form No. 1-A should be submitted in triplicate direct to the Chief Inspector of Factories, Himachal Pradesh for approval.

8. A certificate of stability signed by a person having the qualifications laid down under Rules shall be submitted on Form No. 1-B, before the manufacturing process with the aid of power is begun in the building.

Signature

Designation

FORM NO. 2

[Prescribed under Rule 3 (3)(a)(i)]

Plan and specification.

CERTIFICATE OF STABILITY OF A FACTORY OR PART OF A FACTORY

1. Name of the factory.....
2. Name of builder(s) /or contractor(s).....
3. General type of construction:
 - (a) Full name of signatory (in block letters).....
 - (b) Qualifications
 - (c) Present occupation.....
 - (d) Permanent postal address.....
4. Purpose for which the building is to be used.....
5. Name of room or building for which the certificate is granted giving reference to plan No.....
6. Nature of work to be carried on in the above room/building
7. Nature and amount of moving power.....
8. Signature
9. Date

Note.—The person giving the certificate must be (a) a Corporate Member of the Institution of Civil Engineers, or (b) a Corporate Member of the Institution of Structural Engineers, or (c) a Fellow Associate or Licentiate of the Royal Institute of British Architects, or (d) be a graduate in Civil Engineering and be also a Corporate Member of the Institute of Engineers (India); provided that no person, except in the case of buildings occupied or erected by any Government where a certificate may be granted by an officer not below the rank of an Executive Engineer, shall be authorised to sign a certificate of stability if he is in the full employment of the owner or the builder of the building.

FORM No. 3
(Prescribed under Rule 4)

APPLICATION FOR REGISTRATION AND GRANT OR RENEWAL OF LICENCE
FOR THE YEAR AND NOTICE OF OCCUPATION SPECIFIED IN SECTIONS 6
AND 7

(To be submitted in Triplicate)

1. Full name of the factory with factory.....
licence number if already registered.
2. (a) Full postal address and situation.....
of the factory.
(b) Full address to which communi.....
cations relating to the factory
should be sent.
3. Nature of manufacturing process/
processes—
(a) carried on in the factory during.....
the last twelve months (in the
case of the factory already in
existence).
(b) to be carried on in the factory
during the next twelve months.....
(in the case of all factories).
4. Names and values of principal pro.....
ducts manufactured during the
last twelve months.
5. (i) Maximum number of workers.....
proposed to be employed on any
one day during the year.
(ii) Maximum number of workers.....
employed on any one day
during the last twelve month.
(iii) Number of workers to be ordi.....
narily employed in the factory.
6. (i) Nature and total amount of.....
power (H.P.) installed or pro-
posed to be installed.
(ii) Maximum amount of power.....
(H.P.) proposed to be used.
7. Full name and residential address.....
of the person who shall be the
Manager of the factory for the
purposes of the Act.
8. Full name and residential address.....
of the occupier—
(i) The Proprietor of the factory —.....
in case of a private firm/propr-
ietary concern.
(ii) Directors in case of a public.....
Limited Liability Company/
Firm.
(iii) Where the Managing Agent.....
has been appointed, the
names of Managing Agents and
Directors thereof.

- (iv) Share-holders in case of a private company where no Managing Agents have been appointed.
- (v) The Chief Administrative Head in case of a Government or local fund factory.
9. Full name and address of the owner of the premises or building (including the precincts thereof) referred to in section 93.
10. In the case of a factory constructed or extended after the date of the commencement of the Rules:
- (a) Reference number and date of approval of the plans for site whether for old or new building and for construction or extension of factory by the State Government Chief Inspector.
- (b) Reference number and date of approval of the arrangements, if any, made for the disposal of trade waste and effluents and the name of the authority granting such approval.
11. Amount of fee Rs. (Rupees)
- (i) paid in Treasury on
vide Challan No. (enclosed).
- (ii) transmitted by crossed Cheque/Postal Order No.
dated on the/of the
Bank/Post Office drawn in favour of the Chief Inspector of
Factories, Himachal Pradesh.
- Signature of Occupier
Date
Signature of Manager
Date

- Notes.**— 1. This form should be completed in ink in block letters, or typed.
2. If power is not used at the time of filling up this form, but is introduced latter, the fact should be communicated to the Chief Inspector of Factories immediately.
3. If any of the persons named against item 8 is minor, the fact should be clearly stated.
4. In the case of a factory, where under the proviso to sub-sections (1) and (2) of section 100, a person has been nominated as the occupier, information required in item 8 should be supplied only in respect of that person.
5. In the case of a factory where a Managing Agent or Agents have been appointed as occupiers under the Indian Companies Act, 1913 (VII of 1913) be supplied only in respect of that person or persons,

FORM NO. 8

(Prescribed under Rule 56)

REPORT OF EXAMINATION OF PRESSURE VESSEL

1. Name of occupier of (factory)
2. Situation and address of factory
3. Name, description and distinctive number of pressure vessel.
4. Name and address of manufacturer
5. Nature of processes in which it is used
6. Particulars of vessel:
 - (a) Date of construction
 - (b) Thickness of walls
 - (c) Date on which the vessel was first taken into use.
 - (d) Safe working pressure recommended by the manufacturer.
(the history should be briefly given and the examiner should state whether he has seen the last previous report).
7. Date of last hydraulic test (if any) and pressure applied.
8. Is the vessel in open or otherwise exposed to weather or damp?
9. What parts (if any) were inaccessible?
10. What examinations and tests were made? (Specify pressure if hydraulic test was carried out)
11. Condition of vessel. (State any defects materially affecting the safe working pressure or the safe working of the vessel).

External.....
Internal.....
12. Are the required fittings and appliances provided in accordance with the Rules for pressure vessels?
13. Are all fittings and appliances properly maintained and in good condition?
14. Repairs (if any) required, and period within which they should be executed and any other condition which the person making the examination thinks it necessary to specify for securing safe working.
15. Safe working pressure, calculated from dimensions and from the thickness and other data as ascertained by the present examination, due allowance being made for conditions of working if unusual for exceptionally severe. (State minimum thickness of walls measured during the examination).

16. Where repairs affecting the safe working pressure are required, state working pressure:
- Before the expiration of the period specified in (14).
 - After the expiration of such period if the required repairs have not been completed.
 - After the completion of the required repairs.
17. Other observations

I certify that on.....the pressure vessel described above was thoroughly cleaned and (so far as its construction permits) made accessible for thorough examination and for such tests as were necessary for thorough examination and that on the said date. I thoroughly examined this pressure vessel, including its fittings, and that the above is a true report of my examination.

Signature
Qualification
Address.....
Date

If employed by a Company or Association give name and address. {
.....

FORM NO. 21

[Prescribed under sub-rule (1) of rule 100]

ANNUAL RETURN-YEAR ENDING 31ST DECEMBER, 19 ..

Name of Factory.....

Name of Occupier.....

Name of Manager.....

1. District

2. Postal address.....

3. Nature of Industry.....

*4. Average number of workers employed daily.

{ Men
Women
Adolescents
Male
Female
Children
Male
Female

*The average daily number should be calculated by dividing the aggregate number of attendances on working days by the number of working days in the year. In reckoning attendances, attendances by temporary as well as permanent employees should be counted and all employees should be included, whether they are employed directly or under contractors. Attendances on separate shift (e.g., night and day shifts) should be counted separately. Days on which the factory was closed for whatever cause, and days on which the manufacturing processes were not carried on should not be treated as working days. Partial attendance for less than half a shift on a working day should be ignored while attendance for half a shift or more on such day should be treated as full attendance.

- | | |
|--|---|
| 5. Normal hours worked per week | <div style="display: inline-block; vertical-align: middle;"> <div style="display: inline-block; vertical-align: middle;">{</div> <div style="display: inline-block; vertical-align: middle;">Men
Women
Children.</div> </div> |
| 6. Number of days worked in the year | |
| 7. Does the factory come under— | |
| (i) Section 87 | |
| (ii) Section 93 | |
| 8. Average daily number of workers employed in dangerous operations. | |
| 9. Were week days sometimes substituted for Sunday as weekly holidays? | |
| 10. The number of workers exempted from the provisions of sections— | |
| | 51 |
| | 52 |
| | 54 |
| | 55 |
| | 56 |
| 11. *Were rest intervals given to Adults..... | |
| 12. *Were rest intervals given to Children? | |

*Enter "one hour", "two half hours", "one half hour" or "non" as the case may be. If none of the categories applied to all the adult employees enter the category applicable to the majority of adult employees. Where the majority received an interval, exceeding one hour, enter "one hour".

13. Canteen:

Type of Canteen

Providing cooked food and refreshments	Providing cooked food only	Providing refreshments and tea only	Providing tea only	Approximate average No. of workers using daily	Items of expenditure borne by the occupier stating separately the total expenditure borne by the occupier in subsidizing scale of food stuffs or in otherwise selling food stuffs below cost price
*(A)	*(B)	*(C)	*(D)		
1	2	3	4	5	6

*While furnishing information, please use symbols.

14. *Creche:*

- (i) The number of children admitted to the creche:
- (ii) Approximate daily attendance of children at the creche:

2 years and below.....
Above 2 years.....
- (iii) Details of facilities provided with regard to—
 - (a) Milk
 - (b) Food
 - (c) Clothes
 - (d) Toys
 - (e) Medical aid
 - (f) Others
- (iv) Details of staff employed—

Males:
(a) Doctors.....
Females:
(b) Nurses.....
(c) Teachers.....
(d) Ayahs.....
(e) Sweepers.....

15. *Shelters, Rest-rooms and Lunch-rooms:*

- (i) Approximate average daily attendance of workers at the shelter, rest-room or lunch-room.
- (ii) Details of facilities provided with regard to drinking water.
- (iii) Details of accommodation, furniture and others equipment provided.

Date.....

Signature of Manager.

FORM NO. 23

[Prescribed under sub-rule (4) of rule 100]

LEAVE WITH WAGES ANNUAL RETURN YEAR ENDING 31ST DECEMBER, 19

1. Name of factory.....
2. Name of occupier.....
3. Name of Manager.....
4. District.....
5. Postal address.....
6. Nature of industry.....
7. Total number of persons employed during the year.

Male
Female
Children
8. Number of persons, who are entitled to annual leave with wages during the calendar years to which this return relates.

Male
Female
Children
9. Number of persons who were granted leave during the year.

Male
Female
Children
10. Number of persons who gave notice not to avail themselves of leave during the year in which leave occurred.

Male
Female
Children

- | | |
|---|----------------------------|
| 11. Number of workers discharged or dismissed from service during the year. | Male
Female
Children |
| 12. Number of discharged workers paid wages in lieu of leave. | Male
Female
Children |
| 13. Total amount of wages paid in lieu of leave. | |

Date.....

Signature of Manager.

FORM NO. 10

(Prescribed under rule 78)

OVERTIME MUSTER ROLL FOR EXEMPTED WORKERS

MONTH ENDING.....19 .

1. Number of Register
2. Name
3. Department.....
4. Dates from which overtime has been worked
5. Extent of overtime on each occasion.....
6. Total overtime worked or production in case of piece workers.....
7. Normal hours.....
8. Overtime rate of pay.....
9. Normal earnings.....
10. Overtime earnings.....
11. Cash equivalent of advantage accruing through the concessional sale of foodgrains and other articles.....
12. Total earnings.....
13. Dates on which overtime payments made.....

FORM NO. 15

(Prescribed under rule 87)

REGISTER OF LEAVE WITH WAGES

Name of Factory.....

- | | |
|---|---|
| Serial No..... | Adult/child |
| Department | Name |
| Serial No. in the Register of Adult/Child workers | Father's name..... |
| Date of entry into service..... | Date of discharge..... |
| | Date and amount of payment made in lieu of leave due..... |

1. Calendar year of service.....
2. Wage period from..... to.....
3. Wages earned during the wage period
4. No. of days of work performed.....
5. No. of days of lay off.....
6. No. of days of maternity leave.....
7. No. of days of leave enjoyed.....
8. Total of columns 4 to 7
9. Balance of leave from preceding year
10. Leave earned during the year mentioned in column 1.....
11. Total of columns 9 and 10.....

12. Whether leave in accordance with scheme under section 79 (8) was refused ?.....
13. Leave enjoyed from.....to
14. Balance of leave to credit.....
15. Normal rate of wages.....
16. Cash equivalent of advantage accruing through concessional sale of foodgrains and other articles.....
17. Rate of wages for the leave period (Total of columns 15 and 16)....
18. Remarks

Note.—Separate page will be allotted to each worker.

FORM No. 28

(Prescribed under rule 93)

I hereby require that in the event of my death before resuming work the balance of my pay due for the period of leave with wages not availed of shall be paid to.....
who is my.....and resides at.....
.....

By order,
P. K. MATTOO,
Secretary.